

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DAVID L. TURNER,

Plaintiff,

v.

CAPTAIN ANTHONY BONFIGLIO, ET AL.,

Defendants.

ORDER

Case No. 23-cv-275-jdp

Plaintiff David L. Turner, a prisoner in the custody of the Wisconsin Department of Corrections, has submitted a proposed civil action under 42 U.S.C. § 1983. Plaintiff has filed a copy of a trust fund account statement in support of the motion for leave to proceed without prepaying the fee. However, a decision regarding plaintiff's indigency status cannot be made at this time because the trust fund account statement submitted does not cover the *entire* six-month period immediately preceding the filing of the complaint.

Plaintiff has submitted a statement for April, 2023. This statement is insufficient to determine if plaintiff qualifies for indigent status. Instead, plaintiff must submit a certified copy of a trust fund account statement for the *entire* six-month period immediately preceding the filing of the complaint beginning approximately November 2, 2022 and ending approximately May 2, 2023. Once the necessary statement has been submitted, I will calculate the initial partial payment and advise plaintiff of the amount due before the court can screen the merits of the complaint under 28 U.S.C. § 1915(e)(2).

ORDER

IT IS ORDERED that plaintiff David L. Turner may have an enlargement of time until May 23, 2023 to submit a certified trust fund account statement for the period beginning approximately November 2, 2022 and ending approximately May 2, 2023. If, by May 23, 2023, plaintiff fails to respond to this order, I will assume that plaintiff wishes to withdraw this action voluntarily. In that event, the case will be closed without prejudice to plaintiff filing the case at a later date.

Entered this 2nd day of May, 2023.

BY THE COURT:

/s/
ANDREW R. WISEMAN
United States Magistrate Judge